IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 16TH NOVEMBER 2007 / 25TH KARTHIKA 1929

WP(C).No. 30227 of 2007(W)

ST.724/2006 of J.M.F.C.-IX, THIRUVANANTHAPURAM

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PETITIONER:

K.M.KARUNAKARAN,
S/O.MADHAVAPANICKER, ROSE COTTAGE, PALLIMUKKU,
PETTAH, THIRUVANANTHAPURAM.

BY ADV. SRI.BIJU BALAKRISHNAN

RESPONDENTS:

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1. THE CITY POLICE COMMISSIONER,
THIRUVANANTHAPURAM.

2. VINOD S NAIR,
SILPA, T.C.NO.26/2047 (1),
TUTORS LANE, STATUE, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.P.RAVEENDRA BABU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

R.BASANT, J.

W.P.C.No.30227 of 2007

Dated this the 16th day of November 2007

J U D G M E N T

The petitioner has come to this court with the grievance that no action has been taken on the basis of Ext.P3 complaint lodged by the petitioner. The learned Public Prosecutor was given notice. He was requested to take instructions. It is now submitted that crime No.318/2007 of Cantonment police station has been registered on 9/11/2007 on the basis of Ext.P3 complaint. The learned Public Prosecutor further submits that the crime has been transferred to the Neyyattinkara police station subsequently as the offence alleged is found to have been committed within the jurisdiction of that police station. The needful shall be done and a proper and efficient investigation shall be conducted, submits the learned Public Prosecutor. The learned counsel for the petitioner submits that though he is satisfied that a crime has been registered, he has still a grievance that the crime has been registered only under Section 420 I.P.C and significantly though there is a specific allegation of forgery, no section of offence to that effect has been included.

2. I have been taken through the penultimate paragraph of Ext.P3 which clearly reveals the allegation of forgery. It passes my comprehension as to why the allegation that the crime of forgery has been committed has not been included in the F.I.R. Be that as it may, I am satisfied that no further directions are necessary in this writ petition now inasmuch as admittedly a crime has been registered on the basis of Ext.P3. I need only observe that the investigating officer must take note of the specific allegations in Ext.P3 and file a proper report to include appropriate further offences also within the purview of this investigation. No further observations/directions are necessary now.

3. This writ petition is accordingly dismissed with the above observations.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007